

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE OF PAGES		
2. AMENDMENT/MODIFICATION NO.			3. EFFECTIVE DATE		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (If applicable)	
6. ISSUED BY			CODE		7. ADMINISTERED BY (If other than Item 6)		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)				(X)		9A. AMENDMENT OF SOLICITATION NO.		
						9B. DATED (SEE ITEM 11)		
						10A. MODIFICATION OF CONTRACT/ORDER NO.		
						10B. DATED (SEE ITEM 11)		
CODE			FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS								
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) <u>By acknowledging receipt of this amendment on each copy of the offer submitted;</u> or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.								
12. ACCOUNTING AND APPROPRIATION DATA (If required)								
13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.								
CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).							
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
	D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.								
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)								
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)				
15B. CONTRACTOR/OFFEROR				15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		
(Signature of person authorized to sign)						(Signature of Contracting Officer)		
				16C. DATE SIGNED				

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

Amendment 001
Blue Ridge Parkway
Project PRA-BLRI 2P14
DTFH71-08-R-00014

The purpose of this Amendment is to:

- 1) Revise the Bid Schedule B-pages of the Solicitation Provisions, to revise pay item description and unit.
- 2) Revise the Special Contract Requirements (J pages) as follows:
 - a) Section 109 to clarify asphalt and fuel price adjustment provision.
- 3) Revise the Plans to replace tabulation of quantity sheet.

Solicitation Provision changes

1. *Delete Solicitation Provisions; Bid Schedule page B-23 and substitute revised Bid Schedule page B-23.*

Special Contract Requirement changes

1. *Delete Subsection 109.06 of the Special Contract Requirements, pages J-12 through J-17, and substitute the following:*

109.06 Pricing of Adjustments. Add the following:

ASPHALT CEMENT PRICE ADJUSTMENT PROVISION

GENERAL The Asphalt Cement Price Adjustment Provision contained herein provides for a price adjustment in the form of payment to the Contractor or a rebate to the Government for fluctuations in the cost of asphalt cement consumed in the performance of applicable construction work. The price adjustment provisions are applicable only to the asphalt cement, as defined in Section 702.01, and incorporated in the following eligible contract pay items:

- 41801 Superpave pavement
- 41802 Superpave pavement, wedge and leveling course

The price adjustment provisions are also applicable to these eligible pay items when the Government adds extra work to the Contract.

The provision will remain in effect throughout the duration of the contract. Enactment of the Asphalt Cement Price Adjustment Provision will only be considered when the **increase or decrease** in the price of asphalt cement as defined herein exceeds 10 percent.

The Asphalt Cement Price Adjustment Provision is intended to reduce but not eliminate the cost effects of price uncertainty to the Contractor and the Government for asphalt cement used in the construction of this contract. It provides for sharing by the Government in a portion of the Contractor's risk, which could result from unusual price fluctuations. The provision is not intended to compensate the Contractor for normal day-to-day fluctuations and seasonal changes or to serve as a guarantee of full compensation for asphalt cement price fluctuations.

PRICE INDEXES The Government will generate a monthly performance price index for asphalt cement using price data obtained from Poten and Partners, Inc. (PPI), which publishes a weekly report (Asphalt Weekly Monitor) on high and low selling prices for states in five regions throughout the United States including the East Coast/Northeast, the Mid-Continent/Midwest, the Gulf Coast/Mid South, the Rocky Mountains and the West Coast/Northwest. Weekly high and low selling price data reported for North Carolina in the East Coast/Northeast Region will be averaged and used to establish a base price index, BPI, for this project and a monthly performance price index, MPPI, for the duration of the contract. These indexes are defined as follows:

- **BASE PRICE INDEX** The base price index, BPI, is the price index determined by arithmetic average, as specified above, shown in the four weekly publications immediately preceding the bid opening. The BPI will be provided by the Government after contract award. It is as follows:

BASE PRICE INDEX (BPI) FOR ASPHALT CEMENT
PER SHORT TON (TON) = \$ _____

- **MONTHLY PERFORMANCE PRICE INDEX** The monthly performance price index, MPPI, is the monthly price index at the time of performance of applicable work as determined by arithmetic average, as specified above, shown in the four weekly publications issued prior to the last Wednesday of the month (i.e. the monthly performance price index during which asphalt cement is used in the performance of applicable construction work).

PRICE ADJUSTMENTS Price adjustments are calculated by the Government for average conditions and are not intended to reflect the Contractor's actual purchase price. The ratio of the monthly performance price index and the base price index (MPPI/BPI) is calculated and used to determine price adjustments as follows:

- **No Price Adjustment** – When the ratio MPPI/BPI falls within the range of 0.90 to 1.10, no price adjustment will be made for any asphalt cement used in construction work performed during the relevant month.

- **Government Rebate** – When the ratio MPPI/BPI is calculated to be less than 0.90, the Government is due a rebate determined in accordance with the following formula:

$$\text{Government Rebate} = [0.90 - (\text{MPPI/BPI})] (\text{BPI}) (Q)$$

- **Contractor Payment** - When the ratio MPPI/BPI is calculated to be greater than 1.10, the Contractor is due additional payment determined in accordance with the following formula:

$$\text{Contractor Payment} = [(\text{MPPI/BPI}) - 1.10] (\text{BPI}) (Q)$$

The following definitions are applicable to both the Government Rebate and the Contractor Payment formulas:

MPPI = Monthly Performance Price Index for the month during which asphalt cement is used in the performance of applicable construction work.

BPI = Base Price Index that is established immediately preceding the bid opening.

Q = Quantity in metric tons of asphalt cement for eligible pay items that were used on the project during the progress payment period. The quantity will be calculated using the asphalt content of the approved mix design and the following formula:

$$Q = \text{Asphalt Concrete Pavement metric tons placed} \times (\% \text{ Asphalt}/100)$$

PRICE ADJUSTMENT COMPENSATION Monthly adjustments will be accrued. The final price adjustment will be paid, or rebated, after completion of all work for eligible pay items. The Contractor may request in writing a partial price adjustment payment once every 12 months, or when the unpaid accrued increase exceeds \$10,000. The Government will take a rebate when the deductive accrual exceeds \$10,000.

No price adjustments will be made for work performed beyond the Government-approved Contract completion date.

The maximum allowable monthly and final price adjustment to the Contractor or rebate to the Government is limited to a (MPPI/BPI) ratio of 1.6 and 0.4, respectively.

109.06 Pricing of Adjustments Add the following:

FUEL PRICE ADJUSTMENT PROVISION

GENERAL The Fuel Price Adjustment Provision provides for a price adjustment in the form of payment to the Contractor or a rebate to the Government for fluctuations in the cost of diesel fuel consumed in the performance of applicable construction work. The price adjustment provisions are applicable only to those contract items listed as eligible pay items in Table 1 below, if gasoline and/or diesel are used as the primary fuel in the production of the affected items. The

price adjustment provisions are also applicable to these eligible pay items when the Government adds extra work to the Contract.

The provision will remain in effect throughout the duration of the contract. Enactment of the Fuel Price Adjustment Provision will only be considered when the **increase or decrease** in the price of motor fuel as defined herein exceeds 10 percent.

PRICE INDEXES The Government will generate a monthly performance price index for Ultra Low Sulfur, No. 2 Diesel Fuel using price data obtained from the Oil Price Information Service (OPIS), which publishes a weekly report on gasoline and distillate reseller prices for major cities in five regions throughout the United States including the East Coast (PADD 1), the Midwest (PADD 2), the Gulf Coast (PADD 3), the Rockies (PADD 4) and the West Coast (PADD 5). Weekly average rack price data reported for Charlotte, NC in the East Coast Region will be averaged and used to establish a base price index, BPI, for this project and a monthly performance price index, MPPI, for the duration of the contract. These indexes are defined as follows:

- **BASE PRICE INDEX** The base price index, BPI, is the price index determined by arithmetic average, as specified above, shown in the four weekly publications immediately preceding the bid opening. The BPI will be provided by the Government after contract award. It is as follows:

BASE PRICE INDEX (BPI) FOR ULTRA LOW SULFUR, NO. 2 DIESEL FUEL
PER GALLON = \$ _____

- **MONTHLY PERFORMANCE PRICE INDEX** The monthly performance price index, MPPI, is the monthly price index at the time of performance of applicable work as determined by arithmetic average, as specified above, shown in the four weekly publications issued prior to the last Wednesday of the month (i.e. the monthly performance price index during which motor fuel is consumed in the performance of applicable construction work).

PRICE ADJUSTMENTS Price adjustments are calculated by the Government for average conditions and are not intended to reflect the Contractor's actual purchase price. The ratio of the monthly performance price index and the base price index (MPPI/BPI) is calculated and used to determine price adjustments for eligible pay items as follows:

- **No Price Adjustment** – When the ratio MPPI/BPI falls within the range of 0.90 to 1.10, no price adjustment will be made for any motor fuel consumed in construction work performed during the relevant month.
- **Government Rebate** – When the ratio MPPI/BPI is calculated to be less than 0.90, the Government is due a rebate determined in accordance with the following formula:

$$\text{Government Rebate} = [0.90 - (\text{MPPI/BPI})] (\text{BPI}) (\text{Q}) (\text{FUF})$$

- **Contractor Payment** - When the ratio MPPI/BPI is calculated to be greater than 1.10, the Contractor is due additional payment determined in accordance with the following formula:

$$\text{Contractor Payment} = [(MPPI/BPI) - 1.10] (BPI) (Q) (FUF)$$

The following definitions are applicable to both the Government Rebate and the Contractor Payment formulas:

MPPI = Monthly Performance Price Index for the month during which motor fuel is consumed in the performance of applicable construction work.

BPI = Base Price Index that is established immediately preceding the bid opening.

Q = Quantity of work on the project during the progress payment period for eligible pay items shown in Table 1 below. The Government, to agree with the units associated with the applicable Fuel Usage Factor, will convert work quantities, as necessary.

FUF = Fuel Usage Factor shown in Table 1 below applicable to both diesel and gasoline.

Table 1 – Eligible Pay Items For Price Adjustments and Associated Fuel Usage Factors		
Eligible Pay Items	Fuel Usage Factor U.S. Customary Units	Fuel Usage Factor Metric Units
Earthwork:		
Section 204 – Excavation and Embankment 20401 Roadway excavation 20402 Subexcavation 20405 Select borrow	0.30 gallons per cubic yard	0.39 gallons per cubic meter
Aggregate Courses:		
Section 301 – Untreated Aggregate Courses 30101 Aggregate base	0.70 gallons per ton	0.77 gallons per metric ton
Section 304 – Aggregate Stabilization 30405 Aggregate stabilization in-place aggregate *	0.70 gallons per ton	0.77 gallons per metric ton
Asphalt Pavements:		
Section 418 – Superpave Hot Asphalt Concrete Pavement 41801 Superpave pavement 41802 Superpave pavement wedge and leveling Course	2.40 gallons per ton	2.65 gallons per metric ton
* The Government, to agree with the units associated with the applicable Fuel Usage Factor, will convert work quantities, as necessary.		

PRICE ADJUSTMENT COMPENSATION Monthly adjustments will be accrued. The final price adjustment will be paid, or rebated, after completion of all work for eligible pay items. The Contractor may request in writing a partial price adjustment payment once every 12 months, or when the unpaid accrued increase exceed \$10,000. The Government will take a rebate when the deductive accrual exceeds \$10,000.

No price adjustments will be made for work performed beyond the Government-approved Contract completion date.

The maximum allowable monthly and final price adjustment to the Contractor or rebate to the Government is limited to a (MPPI/BPI) ratio of 1.6 and 0.4, respectively.

Plan Sheet changes

- 1. Delete Plan Sheet 12 and substitute revised Plan Sheet 12.*

Pay Item No.	Estimated Quantity	Unit Bid Price	Amount Bid
62006	REMOVE AND RESET STONE MASONRY HEADWALL 3 EACH	\$ _____	\$ _____
62007AM	STONE MASONRY HEADWALL FOR 24-INCH PIPE CULVERT 1 EACH	\$ _____	\$ _____
62007AP	STONE MASONRY HEADWALL FOR 36-INCH PIPE CULVERT (36-INCH EQUIVALENT) 2 EACH	\$ _____	\$ _____
62403	FURNISHING AND PLACING TOPSOIL 10 CUYD	\$ _____	\$ _____
62509	TURF ESTABLISHMENT 1.0 ACRE	\$ _____	\$ _____
63401HA	PAVEMENT MARKINGS, TYPE H, SOLID 3,090 LNFT	\$ _____	\$ _____
63401LA	PAVEMENT MARKINGS, TYPE POLYUREA, SOLID 12,900 LNFT	\$ _____	\$ _____
63406JH	PAVEMENT MARKINGS, TYPE J, HANDICAP SYMBOL 5 EACH	\$ _____	\$ _____
63501	TEMPORARY TRAFFIC CONTROL (FLOOD LIGHTS) ALL	Lump Sum	\$ _____
63505C	BARRICADE, TYPE 3 4 EACH	\$ _____	\$ _____
63507	CONSTRUCTION SIGN 50 SQFT	\$ _____	\$ _____
63508B	DRUM, TYPE B 20 EACH	\$ _____	\$ _____

Bid Schedule D

Project: PRA-BLRI 2P14

OPTION 3: CRAGGY GARDEN ACCESS ROAD AND PICNIC AREA

								ESTIMATED QUANTITIES	
ITEM	DESCRIPTION	UNIT						PLAN	BID SCHEDULE
41802AB	SUPERPAVE ASPHALT CONCRETE PAVEMENT, 3/8-INCH NOMINAL MAXIMUM SIZE AGGREGATE, 0.3 \leq 3 ESAL, WEDGE AND LEVELING	TON						3800	3,800
41902A	ASPHALT PAVEMENT, SHALLOW DEPTH PATCH, TYPE 1	SQFT						988	1,200
60503	GEOCOMPOSITE UNDERDRAIN SYSTEM (18 - MULTI-FLOW DRAINAGE TUBING)	LNFT						424	450
60507F	6-INCH OUTLET PIPE (SCHEDULE 40 PVC)	LNFT						20	25
60509	SAND CH OUTLET PIPE (SCHEDULE 40 PVC)	CUYD						167	180
60703A	RECONDITIONING CULVERTS IN PLACE	LNFT						2656	2,770
60704	RECONDITIONING DRAINAGE STRUCTURES	EACH						30	33
60706	CONCRETE PIPE JOINT REPAIR	EACH							4
60801B	PAVED WATERWAY, TYPE 2	SOYD						615	670
60809B	RECONDTION PAVED WATERWAY, TYPE 2	SOYD						2209	2,360
60906	RESET CURB	LNFT						628	660
61501A	ASPHALT CONCRETE SIDEWALK	SOYD						229	250
62004	REPOINT STONE MASONRY	LNFT						400	430
62011	RESET STONE MASONRY (REPAIR)	CUYD						2	3
62016	RESET STONE MASONRY (MEDIAN)	SOYD						15	15
62403	FURNISHING AND PLACING TOPSOIL	CUYD						228	240
62509	TURF ESTABLISHMENT	ACRE						6	6
63304CC	SIGNS, ALUMINUM PANELS, TYPE 3 SHEETING	SQFT						160	160
63401LA	PAVEMENT MARKINGS, TYPE POLYUREA, SOLID	LNFT						61808	64,800
63401LB	PAVEMENT MARKINGS, TYPE POLYUREA, BROKEN	LNFT						884	970
63501	TEMPORARY TRAFFIC CONTROL (FLOOD LIGHTS)	LPSM						ALL	ALL
63505C	BARRICADE, TYPE 3 CONSTRUCTION SIGN	EACH						2	2
63506A	CONE, TYPE A	EACH						290	380
63507	CONSTRUCTION SIGN	SOFT						1950	1,968
63508B	DRUM, TYPE B	EACH						290	380
63509	FLAGGER TYPE B	HOURL						1600	1,800
63510	PILOT CAR	HOURL						300	300

REVISIONS			
NO.	DESCRIPTION	BY	DATE
1	CORRECTED PAY ITEM	JW	8/14/08

BLUE RIDGE PARKWAY
SCHEDULE A
TABULATION OF
QUANTITIES